

RANDOLPH COUNTY NATIONAL INCIDENT MANAGEMENT SYSTEM ORDINANCE

The County of Randolph ordains: The National Incident Management System.

Section 1. Short Title

This ordinance shall be known and may be cited and referred to as “The National Incident Management System (NIMS) Ordinance for the County of Randolph.”

Section 2. Intent and Purpose

- A. It is the intent and purpose of this Ordinance to formally recognize the National Incident Management System (NIMS) and adopt the principles and policies of the NIMS that will insure the complete and efficient utilization of all of the County of Randolph’s resources to combat disaster resulting from enemy actions or other disasters as defined herein.
- B. The purpose of the NIMS is to provide a consistent nationwide approach for Federal, State, territorial, tribal, and local governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.
- C. The NIMS provides a common foundation for day to day operations, training and other preparedness efforts; communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort, and for integrating new technologies and standards to support incident management.

Section 3. Definitions

The following definitions shall apply in the interpretation of this Ordinance:

- A. “Coordinator” means the Coordinator of the Randolph County Emergency Management Agency, appointed as prescribed in this Ordinance.
- B. “Disaster” includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill or other impending or actual calamity endangering or threatening to endanger health, life or property of constituted government.
- C. “Emergency Management” refers to the basic government functions of maintaining the public peace, health and safety during an emergency. This term includes plans and preparations for protection and relief, recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the

agents thereof, or a disaster as defined herein. It does not, however, include any activity that is the primary responsibility of the military forces of the United States.

- D. “Emergency Management Forces” means the employees, equipment and facilities of all County departments, boards, councils, institutions and commissions; and in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies that are assigned the duties of responding to emergencies within Randolph County.
- E. “Incident Command System (ICS)” means the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in domestic incident management activities as outlined in the NIMS Document under Appendix A.
- F. “National Incident Management System (NIMS)” means a document produced by the Department of Homeland Security under the direction of Presidential Directive-5 that strengthens response capabilities through a balance between flexibility and standardization, and use of common doctrine, terminology, concepts, principles, and processes.
- G. “NIMS Integration Center (NIC)” means the federal agency established to provide strategic direction and oversight of the NIMS, supporting both routine maintenance and continuous refinement of the system and its components. NIC develops and facilitates national standards for the NIMS.

Section 4. Adoption of NIMS.

- A. The County formally adopts NIMS as its system of response to a disaster and to provide a common foundation for training and other preparedness efforts, for communicating and sharing information with other responders and with the public, for ordering resources to assist with a response effort and for integrating new technologies and standards to support incident management.
- B. NIMS principles and policies are to be adhered to by all emergency management forces and across all functional disciplines within Randolph County.
- C. Randolph County shall institutionalize the use of the ICS as outlined in Appendix A of NIMS in order to enhance command, control and communications capabilities.

Section 5. Appointment and Duties of Coordinator.

- A. The Randolph County Director of Emergency Services shall serve as the Coordinator of NIMS operations pursuant to this Ordinance.
- B. The Coordinator shall have the following duties and responsibilities:
 - (1) To consult with other agencies, municipalities, and affected organizations in Randolph County to recommend levels of NIMS training. However, it shall be the responsibility of each agency to implement said training and to ensure its own commitment to NIMS.
 - (2) To oversee Randolph County's commitment to NIMS through planning, training, and implementation.

Section 6. Violations

It shall be a misdemeanor for any person to violate any of the provisions of this Ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the Emergency Management organization as herein defined in the enforcement of the provisions of this Ordinance or any plan issued hereunder.

Section 7. Severability

Should any of the provisions of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

Section 8. Conflicting Ordinances, Orders, Rules and Regulations Suspended

At all times when the orders, rules and regulations made and promulgated pursuant to this Ordinance shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

Section 9. Applicability Extension

The undersigned municipalities and organizations hereby ratify this ordinance and adopt it as their own including all forms and conditions specified herein.

Section 10. Effective Date

This Ordinance shall take effect on the ____ day of _____, 2005.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing National Incident Management System Ordinance was passed by the following vote:

Ayes:

Noes:

I, Alice D. Dawson, Clerk to the Board of the Randolph County Board of Commissioners, do hereby certify that the foregoing Ordinance was duly adopted by the governing body of Randolph County at a regular meeting thereof, a quorum being present.

This the 6th day of September, 2005.

Alice D. Dawson
Clerk to the Board